

GENERAL WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JANUARY 2004 AGENDA
Item No. W-19

TITLE: Request by various school district(s) on behalf of (20 possible) school(s) in Cohort I of the Immediate Intervention and/Underperforming Schools Program (II/USP) deemed state monitored on Nov 12, 2003, (Valid API) to waive sanctions in portions of E.C. 52055.5(b), and keep the schools on “watch” for another year. Failing that the district(s) may wish to waive the timeline in portions of E.C. 52055.51(d)	<u>X</u> ACTION
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RECOMMENDATION: Some individual waivers and recommendations are attached, more may follow in a Last Minute Memorandum.

Summary of Previous State Board of Education Discussion and Action

On November 12, 2003, the State Board of Education (SBE) heard Item 23: Immediate Intervention/Underperforming Schools Program (II/USP): Proposed intervention for (Cohorts I and II) schools that failed to show significant growth.

The SBE voted unanimously on Nov, 12, 2003, to require the districts of **20 Cohort I** schools with **Valid Academic Performance Indexes (API's)** identified in the agenda item to “enter into contracts with School Assistance and Intervention Teams (SAITs) – because the schools have failed to demonstrate significant growth, as required by law – and allow the governing board of each school district to retain its legal rights, duties, and responsibilities with respect to each state-monitored school within its jurisdiction.”

There was **no discussion** at the November SBE meeting about waiver criteria or an alternate method of calculation for the schools with valid API's, under the General Waiver authority, EC 33050 each one must be taken on the merits of the individual argument.

Summary of Key Issues:

The districts on behalf of these **(20 possible) Cohort I** schools (see attached list) have requested a waiver from being deemed state monitored for various individual reasons. The waiver is of the **sanctions** in portions of E.C. 52055.5(b), in effect to keep the schools to remain on “watch” for another year.

Failing that, the district(s) may wish to waive the **timeline** in portions of E.C. 52055.51(d) so that they have time to complete the SAIT activities required under the sanctions.

Additional schools may be added in the Last Minute Memorandum.

Fiscal Analysis (as appropriate):

Elementary and Middle schools receive \$75,000 to conduct the SAIT Process. **High Schools receive \$100,000** to conduct the SAIT Process. All schools may apply for additional funds to conduct the SAIT, up to \$125,000. However, the additional funding must be approved by CDE and the Department of Finance. **In addition, all schools in the II/USP Sanctions receive \$150 per student** for at least two years, and potentially three years, in order to implement the corrective actions.

Attachment: 1) [List of 20 Possible Cohort I Schools.](#)

2) [Individual analysis, legal requirements and CDE Recommendations for four Schools.](#) All documents are attached for each one in this order:

CDSIS 8-12-2002	Central UHSD	Central High School	Denial
“ “	“ “	Southwestern High School	Denial
CDSIS-6-12-2003	Burbank USD	Providencia Elementary	Denial
CDSIS-3-12-2003	San Jose USD	Hester Elementary School	Denial

Immediate Intervention Underperforming Schools (II/USP) Potentially Subject to State Intervention

The list of the 20 Cohort I schools with **Valid** Academy Performance Indexes (API) that failed to demonstrate significant growth. On November 12-13, 2003 the California State Board of Education identified these schools to be state monitored.

Schools Deferred for Review in January 2004

County	District	School	ADA
Butte	Biggs Unified	Biggs Elementary	383
Fresno	Selma Unified	Wilson (Woodrow) Elementary	440
Fresno	West Fresno Elementary	West Fresno Elementary	633
Imperial	Central Union High	Central High	1,594
Imperial	Central Union High	Southwest High	2,007
Los Angeles	Burbank Unified	Providencia Elementary	492
Merced	Merced City Elementary	Rivera (Rudolph) Middle	1,152
Monterey	Monterey Peninsula	Del Rey Woods Elementary	562
Riverside	Palo Verde Unified	Palo Verde High	941
Riverside	Perris Elementary	Sanders (Nan) Elementary	790
Sacramento	Galt Joint Union High	Galt High	1,963
San Diego	San Diego Unified	Fulton Elementary	492
San Francisco	San Francisco Unified	Burton (Phillip & Sala) Academic High	1,766
San Francisco	San Francisco Unified	Golden Gate Elementary	181
San Francisco	San Francisco Unified	Malcolm X Academy (Elem)	300
San Francisco	San Francisco Unified	Marshall (Thurgood) Academic High	1,150
Santa Clara	Alum Rock Union Elementary	Pala Middle	385
Santa Clara	East Side Union High	Lick (James) High	1,237
Santa Clara	San Jose Unified	Hester Elementary	383
Tehama	Antelope Elementary	Berrendos Middle	244

Item W-19
Individual District/ School - Schools with a Valid API
Waivers of Sanctions – Cohort I

CDSIS- 8-12-2003	Central Union High School District for Central and Southwest High Schools
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CDE Recommendation:

Denial per E.C. 33051(a)(1). CDE recommends that Central and Southwest High Schools continue to be deemed state-monitored as determined at the November 12, 2003 State Board meeting.

Approval to waive E.C. 52055.51(d). The Department also recommends approval of the request to waive the SAIT timeline to allow an extension for SAIT activities. The new timeline would begin on January 8, 2004.

Analysis:

Although the Department does concur with Central Union High School District that the 2002 base API score for Central High was not accurate, it cannot support the district's request to waive the school out of state sanctions for two reasons. The district failed to correct the error in a timely fashion; therefore CDE cannot change the 2002 API base and Central High did not meet the criteria established for schools with invalid API to demonstrate growth. In addition, it is inappropriate to allow the school to exit the program when the official published API indicates the school made negative growth in 2003.

Although Central High has increased the percentage of students scoring at or above proficient on the California Standards English/language arts test (from 16.3% to 21.7% schoolwide), the percentage of students scoring at or above proficient on the California Standards Mathematics tests decreased from 14% in 2002 to 9.3% in 2003 (includes general math, algebra and geometry).

Also, based on the 2003 California Standards Tests, 78% of the students scored below proficient in English/language arts and 93% of the students scored below proficient in algebra I (see table below). Therefore, the Department believes that Central would benefit from the services of a SAIT, especially in the area of math (see table below).

2003 California Standards Tests For Central High School			
	Percent of students at or above proficient	Percent of students at basic	Percent of students at below or far below basic
English/Language Arts	21.7%	39.18%	39%

Algebra I	7%	31%	62%
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The Department also agrees that the 2002 base API was incorrect for Southwest High School. Southwest High School's performance on the CST mirrors that of Central. The percentage of students scoring at or above proficient in English/language arts increased from 21.3% in 2002 to 23.7 %n 2003. However, the percent of students scoring at or above proficient in mathematics decreased from 11% in 2002 to 9% in 2003.

Based on the 2003 California Standards Tests, 76% percent of the students scored below proficient in English/language arts and 94% scored below proficient in algebra I (see table below). The Department believes that the Southwest would also benefit from the services of a SAIT, especially in the area of math.

2003 California Standards Tests for Southwest High School			
	Percent of students at or above proficient	Percent of students at basic	Percent of students at below or far below basic
English/Language Arts	23.7%	34.19%	42%
Algebra I	9%	25%	69%

Fiscal Analysis for this school's waiver request:

If the waiver is denied Central High School would receive \$100,000 to help support the services of a SAIT and \$239,100 to implement the recommended corrective actions from Title I funds. Southwest High School will receive \$100,000 to help support the services of a SAIT and \$301,050 to implement the recommended corrective actions from Title I funds.

See attached waiver document for all other legal requirements.

Item W-19
Individual District/ School - Schools with a Valid API
Waivers of Sanctions – Cohort I

CDSIS- 6-12-2003	Burbank Unified School District for Providencia Elementary School
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CDE Recommendation:

Denial per E.C. 33051(a)(1). CDE recommends that Providencia Elementary continue to be deemed state-monitored as determined at the November 12, 2003 State Board meeting.

Approval to waive E.C. 52055.51(d). The Department also recommends approval of the request to waive the SAIT timeline to allow an extension for SAIT activities. The new timeline would begin on January 8, 2004.

Analysis:

The information provided in Burbank's waiver requests is accurate. However, the data provided in the request reflect the results of the California Standards tests for 2002. The results of the CST for 2003 were not provided. A review of the results on the 2003 CST for English/language arts indicates that the percentage of student scoring at **far below basic** increased from 5.2% in 2002 to 11% in 2003. Overall, Providencia Elementary School is performing well, with a smaller percentage of students scoring below and far below basic than other state-monitored schools. Unfortunately, the school did not make significant growth on its 2003 API and is therefore subject to state sanctions.

2003 California Standards Tests			
	Percent of students at or above proficient	Percent of students at basic	Percent of students at below or far below basic
English/Language Arts	35.9%	36.9%	26.9%
Mathematics	42.7%	28.3%	28.1%

In additional, a careful review of the 2002 and 2003 California Standards test in math indicates there is a significant drop in the percentage of students scoring at or above proficient in the 5th grade in comparison to 2nd through 4th grades. In 2003, the overall percentage of students scoring at or above proficient in 2nd through 4th grades was 47.9%. In contrast, only 23% of the 5th graders scored at or above proficient. (In 2002 the overall percentage of students in 2nd–4th grade scoring at or above proficient was 50% versus 36% in the 5th grade.) A SAIT team could assist the school to identify and correct the barriers for 5th grade math.

Fiscal Analysis for this school's waiver request:

If the waiver is denied Providencia Elementary School would receive \$75,000 to help support the services of a SAIT and \$73,800 to implement the recommended corrective actions from Title I funds.

See attached waiver document for all other legal requirements.

Item W-19
Individual District/ School - Schools with a Valid API
Waivers of Sanctions – Cohort I

CDSIS- 3-12-2003	San Jose Unified for Hester Elementary School
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CDE Recommendation:

Denial per E.C. 33051(a)(1). CDE recommends that Hester Elementary School continue to be deemed state-monitored as determined at the November 12, 2003 State Board meeting.

Analysis:

Hester has shown growth on the API 3 out of the last 4 years (first Growth API 1999-2000, through the most recent Growth API 2002-03), which is commendable. However, on the 2003 Growth API Hester Elementary went down 5 points, and based on the results of the California Standards Tests (CST) the school would clearly benefit from the services of a SAIT. Seventy-nine percent of Hester's students scored below the proficient level on the CST for English/language arts, and 70% of the students performed below the proficient level on the CST mathematics test (see table below).

2003 California Standards Tests			
	Percent of students at or above proficient	Percent of students at basic	Percent of students at below or far below basic
English/Language Arts	22%	35%	43%
Mathematics	30%	32%	38%

The school has begun to implement the nine Essential Program Components adopted by the State Board, although AB 466 training has not yet occurred. A SAIT would ensure that staff receive the appropriate AB 466 training and that the school would benefit from full implementation of the Essential Program Components.

Fiscal Analysis for this school's waiver request:

If the waiver is denied Hester Elementary School would receive \$75,000 to help support the services of a SAIT and \$57,450 to implement the recommended corrective actions from Title I funds.

See attached waiver document for all other legal requirements.